

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:) Case No. 12-12020 (MG)
RESIDENTIAL CAPITAL, LLC, et al.,) Chapter 11
Debtors.) Jointly Administered
)

**STIPULATION AND ORDER PURSUANT TO 11 U.S.C. § 362(d)
MODIFYING THE AUTOMATIC STAY IMPOSED BY 11 U.S.C. § 362(a)**

WHEREAS Farmington Woods Master Association, Inc. (“**Movant**”) asserts that it holds a statutory lien on lands and premises of Ivan C. B. Foss with an address of 30 Crocus Lane, #118B, Avon, CT 06001 (the “**Mortgaged Property**”) arising from past due homeowners association fees;

WHEREAS the relevant land records reflect that GMAC Mortgage, LLC, one of the above-captioned debtors (the “**Debtors**” and, together with Movant, the “**Parties**”) also holds a lien on the Mortgaged Property;

WHEREAS the Movant has requested (“the **Request**”) relief from the automatic stay, pursuant to section 362(d) of title 11 of the United States Code (the “**Bankruptcy Code**”), to commence or complete the foreclosure of its interest in the Mortgaged Property;

WHEREAS the Debtors, following a review of their records have determined that to the best of their knowledge they no longer hold an interest in the Mortgaged Property;

WHEREAS the Debtors have agreed to consent to the Request on the terms and conditions contained in this Stipulation and Order;

NOW, THEREFOR, it is hereby stipulated and agreed as between the Parties to this Stipulation and Order, through their undersigned counsel; and after due deliberation and sufficient cause appearing, it is hereby

ORDERED, ADJUDGED, AND DECREED THAT:

1. The Request is granted as set forth herein.

2. To the extent applicable, the automatic stay imposed in this case by section 362(a) of the Bankruptcy Code is modified under section 362(d) of the Bankruptcy Code to the extent necessary to allow Movant to commence or complete the foreclosure of the lien it holds on the Mortgaged Property.

3. Nothing in this Stipulation and Order shall be deemed to affect in any way the rights of any entity, including the Debtors, to contest the validity, priority, or amount of any or all of Movant's lien in the Mortgaged Property with respect to any other lien on the Mortgaged Property in any foreclosure proceeding.

4. This Stipulation and Order may not be modified other than by a signed writing executed by the Parties hereto or by further order of the Court.

5. This Stipulation and Order may be executed in multiple counterparts, each of which shall be deemed an original but all of which when taken together shall constitute one and the same instrument.

6. Pursuant to Bankruptcy Rule 4001(a)(3), the 14-day stay of this Stipulation and Order imposed by such Bankruptcy Rule is waived. Movant is authorized to implement the provisions of this Stipulation and Order immediately upon its entry.

7. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation and interpretation of this Stipulation and Order.

GMAC MORTGAGE, LLC By: <u>/s/ Norman S. Rosenbaum</u> Norman S. Rosenbaum Erica J. Richards James A. Newton MORRISON & FOERSTER LLP 1290 Avenue of the Americas New York, New York 10104 Telephone: (212) 468-8000 Facsimile: (212) 468-7900 <i>Counsel for Debtors and Debtors in Possession</i>	FARMINGTON WOODS MASTER ASSOCIATION, INC. By: <u>/s/ Scott D. Rosen</u> Scott D. Rosen COHN BIRNBAUM & SHEA P.C. 100 Pearl Street, 12th Floor Hartford, CT 06103 Telephone: (860) 493-2200 Facsimile: (860) 527-1893 <i>Counsel for Farmington Woods Master Association, Inc.</i>
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SO ORDERED.

Dated: June 13, 2013
New York, New York

/s/Martin Glenn
MARTIN GLENN
United States Bankruptcy Judge